

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

VALERO ENERGY, LTD.,

Plaintiff/Garnishor

VS.

WELLS FARGO BANK, N.A.,

Garnishee,

VS.

CLYDE BERGEMANN US, INC. and
CLYDE BERGEMANN POWER GROUP
AMERICAS, LLC

MISCELLANEOUS ACTION NO. 4:22-MC-00104

[RELATED CASE NO. 4:21-cv-02034]

Defendants/Judgment-Debtors.

WRIT OF GARNISHMENT

To Wells Fargo Bank, N.A., Garnishee:

On July 22, 2021, the United States District Court for the Southern District of Texas issued a judgment in favor of Garnishor Valero Energy, Ltd. (“Valero”) and against Judgment-Debtors Clyde Bergemann US, Inc. and Clyde Bergemann Power Group Americas, LLC (formerly known as Clyde Bergemann Power Group Americas, Inc.) in Civil Action No. 4:21-cv-02034. That judgment was in the amount of \$1,066,710.45 for breach of warranty; \$360,498.32 for legal fees, expenses, and expert fees; \$200,016.83 for costs of arbitration; and \$158,399.16 in pre-award interest, with simple interest accruing on the foregoing amounts at the rate of five (5) percent per annum from March 28, 2021, until paid.

Valero has properly sought this Writ of Garnishment against you, Wells Fargo Bank, N.A.

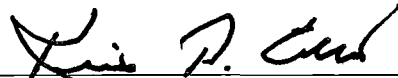
Accordingly, within 21 days after you are served with this Writ, you are **ORDERED** to file an answer with this Court and serve a copy of said answer on Valero.

In your answer, you must state under oath: (1) what, if anything, you are indebted to Judgment-Debtors and were when this Writ was served upon you; (2) what effects, if any, of Judgment-Debtors you have in your possession and had when this Writ was served upon you; and (3) what other persons, if any, within your knowledge, are indebted to Judgment-Debtors or have effects belonging to Judgment-Debtors in their possession.

You are further **ORDERED** not to pay to Judgment-Debtors any debt or to deliver to them any effects, pending further order of this Court, without first retaining property in an amount sufficient to satisfy and equal the maximum value of property or indebtedness that may be garnished.

Your answer should be filed with the Court in Miscellaneous Action No. 4:22-MC-00104. Your answer should also be served on Valero's counsel of record in Miscellaneous Action No. 4:22-MC-00104.

SIGNED at Houston, Texas, on this the 26th day of January, 2022.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE